

DIVISION OF SPECIAL EDUCATION

Telephone: 317-232-0570

Facsimile: 317-232-0589

e-mail: rmarra@doe.in.gov

State Advisory Council on the Education of Children and Youth with Disabilities

Embassy Suites

May 9, 1997

Indianapolis, Indiana

The following minutes of the May 9, 1997 meeting of the State Advisory Council at the Embassy Suites in Indianapolis were approved at the January 16, 1998 session.

Members present: Mary Jo Dare, David Schmidt, Edward Kasamis, Richard Gousha, Mary Stewart (represented by proxy by Patti Worrell), Patricia Loge, Joan Melsheimer, Bruce McKay, William McKinney, Liam Grimley, Michael Dalrymple, Kathy Wodicka and Robert Marra.

From the Division of Special Education: Sharon Knoth, Lynn Holdheide and Judith Gilbert.

Members absent: Becky Kirk, James Phillips and Nancy Cobb.

Interpreters: Lisa Moster and Janet Lancaster

Special Guests: Janet McShurley, Director of Special Education for the Delaware County Special Education Cooperative; Dale Jarman, Superintendent of the Blackford County School Corporation; Daena Richmond, Director of Special Education for the Jay-Randolph Special Education Cooperative; Sharon Henderson, Preschool Coordinator for the Jay-Randolph Special Education Cooperative; Phil Wray, Superintendent of Randolph Central Schools; Bob Schmielau, Superintendent of Randolph Eastern School Corporation; Tim Long, Superintendent of Monroe Central School Corporation; Tom Little, Superintendent of Jay School Corporation; Larry Paxton, Business Manager of Jay School Corporation; Leonard Burrello, Indiana University School of Education; and Pam Wright, Indiana University School of Education.

At 8:50 A.M. the meeting was called to order. Mrs. Wodicka and Mr. Marra welcomed everyone to the meeting. Mrs. Wodicka called for introductions and explained the agenda for the day.

Mr. Schmidt moved that we approve the minutes from the Council meeting of April 11, 1997. The motion was seconded by Mr. Dalrymple. The motion carried.

Update on Senate Bill 256

Mr. Marra gave an overview of the status of this piece of legislation. The Bill did not come out of the Rules Committee and "died" in the House during this session of the General Assembly.

However, the Division of Special Education intends to continue with the special education cooperative restructuring, cost- study analysis, and the comparison of Article 7 to the components of IDEA. The Council will be kept informed of the progress of this initiative.

IDEA Reauthorization

Mrs. Melsheimer gave an overview of the IDEA Reauthorization. Several items relating to IDEA Reauthorization distributed at the LRP Legal/Law Conference in San Diego, California, were disseminated for Council review. There is very little time for review and response to the draft being proposed. The understanding is that there will be a Congressional vote on Tuesday, May 13, 1997 and it will then be on the President's desk for his signature by Memorial Day. The legislative version of IDEA should be released soon. Mr. Dalrymple stated that he believed that it would be similar in format to the drafts we have seen. Mrs. Melsheimer's major concern was the lack of time for input from the field. When the "bill is final, LRP will be conducting regional workshops. Mrs. Dare asked that the Division consider sending members of the Council to these sessions.

State-Mandated Assessment Update

Mr. Marra reported on the May 5, 1997 Division-sponsored meeting regarding Accommodations for State Mandated Assessments. The draft document developed on May 5, 1997 during the day-long workshop was distributed to the Council. Mr. Marra presented this document to the State Board of Education on May 7, 1997. The State Board recommended that the Division continue the process of developing Guidelines for the Provision of Accommodations on State-Mandated Assessments.

Cooperative Re-Structuring

Delaware County-Blackford County-Mrs. McShurley, Special Education Director of the Delaware County Special Education Cooperative, and Dr. Jarman, Superintendent of Blackford County Schools, gave an overview of their proposal to the Council. This proposal was a request for Blackford County Schools to become a member of the Delaware County Special Education Cooperative. Dr. Grimley asked the presenters to address the issue of travel/transportation with the desire to educate students "as close to the student's home as possible." Dr. Jarman described the geographical structure of Blackford County Schools. Dr. Jarman and Mrs. McShurley both reiterated the opportunities for the Delaware County Cooperative and the Blackford County Schools to share resources and services. There is no intent to increase the number of students currently being transported. There are currently ten Blackford County Schools students being served in programs in Delaware County. The intent is to look at transitioning some of those students back into their home schools, while permitting others to complete their education in Delaware County. Mr. McKinney asked the presenters to elaborate on "who was being left behind?" The answer was that "no one was being left behind." Several years ago Blackford County Schools was a part of the Grant-Blackford Special Education Cooperative, but Blackford County Schools subsequently requested approval to operate as a single entity in order to provide special education and related services to its students with disabilities.

Blackford County Schools has been "on its own" for several years. Mr. McKinney questioned how the Comprehensive Plans, which are in effect at the present time until the two counties become a restructured cooperative, have addressed the full continuum of services? A discussion about service delivery followed. The Blackford County Schools has had an agreement through the use of transfer tuition with Delaware County Special Education Cooperative to serve certain students. The total student population in Blackford County Schools is approximately 2,400.

Mrs. Wodicka questioned the Council as to the next step in the process? Mr. McKinney moved that the Council provide formal approval for Blackford County Schools to become an active, participating member of the Delaware County Special Education Cooperative. The motion was seconded by Dr. Grimley. The motion was unanimously approved. The new Cooperative is to be called: "Delaware-Blackford Special Education Cooperative." The new Comprehensive Plan that was presented to the Division and to the Council is accepted.

Jay-Randolph County-Tom Little, Superintendent of Jay School Corporation along with Larry Paxton, Business Manager of Jay School Corporation presented to the Council the request of Jay School Corporation to become a separate entity in order to provide special education programming to students with disabilities in the Jay School Corporation, and withdraw its membership in The Jay-Randolph Special Education Cooperative. This desired change, providing services for students with disabilities under local control of the Jay School Corporation, has been an ongoing discussion item in the community and with the Jay School Corporation School Board.

The four primary reasons for this request are:

I) the philosophy of the service-delivery structure of the Cooperative Board does not necessarily align with Jay School Corporation's philosophy (full inclusionary model) thus creating dissension among staff;

II) the pilot project on triennial assessments (functional assessments) with which the Jay School Corporation School Board did not agree;

III) the large geographical area of the Cooperative (Jay County itself has 10 buildings) does not, in the Jay School Corporation School Board's opinion, lend itself to easy access; and

IV) staff development issues - coordinating schedules between and with a large number of buildings. Jay School Corporation has looked into cost-estimates and believes it will, in the long term, save money with this reorganization. Dr. Little commended Mrs. Richmond on her organization and the services provided to Jay School Corporation. He recognized the fact that Mrs. Richmond does have a large geographical area to serve.

Mrs. Dare asked for some elaboration on the full-inclusion issue and how "separating" from the Cooperative would assist or alleviate the difficulties? The Jay School Corporation representatives explained that there has been some tension between staff and administrators regarding this issue.

It seemed to be perceived that inclusion was being forced on them, and that had they had time to study all the issues and plans for inclusion, they would have accomplished the same goal but in a different manner.

Fiscal analyses estimating a \$45,000 increase, prepared by Jay School Corporation was shared with the Council. These analyses have not been presented to the board since the request to separate from the Cooperative was strictly a philosophical issue and not fiscally driven. It is simply believed that Jay School Corporation can better serve their students by maintaining control at the local level.

Dr. Kasamis referenced the March 6, 1997-document from Jay School Corporation and asked about Jay School Corporation's special education population. Jay School Corporation is currently serving five hundred and forty-seven students with disabilities, the unduplicated count from December 1, 1995.

Dr. Grimley asked Dr. Little and Mr. Paxton to address the concerns the Jay School Corporation had in regard to the triennial assessment project. Dr. Little responded that it was an issue because the school staff did not fully understand what was expected of them as they were preparing to conduct triennial assessments.

Mrs. Dare asked about parental input regarding the triennial assessment issue as well as the proposed plan to withdraw from the Cooperative. The response from the Jay School Corporation representatives was that open sessions were conducted, with only a few individuals attending, thus it would be difficult to estimate what parental perceptions are regarding these issues. Dr. Grimley

asked whether the issues which were outlined earlier (the reasons to withdraw from the Cooperative) were addressed with the Jay-Randolph Cooperative Board? The answer was "yes, these issues were addressed with the Cooperative Board." Local control over inservice issues and topics were also an issue of concern. Mr. Schmidt asked for clarification on this topic, and Dr. Little reiterated that there was still the perception that Jay School Corporation had no local control over these inservice topics.

Phil Wray, Superintendent of Randolph Central Schools; Bob Schmielau, Superintendent of Randolph Eastern School Corporation; Tim Long, Superintendent of Monroe Central School Corporation; and Daena Richmond, Director of Special Education for Jay-Randolph Special Education Cooperative then presented to the Council. Dr. Long acknowledged that there seemed to be some dissension among the school corporations within the Cooperative and that it is indeed an issue the Cooperative Board is attempting to address. Each school corporation brings to the Board one (1) vote and issues are not always settled in unanimous agreement.

Majority rules. Dr. Long stated that he believed in local control, but he also felt there has not been enough time to address this issue. Fiscal issues impact on children and he wanted to ensure we did not forget that. Mrs. Richmond gave an overview of "ChildCount" and fiscal issues. She elaborated on the document

which was prepared for the Council. The Cooperative is a vehicle to provide guidance and support for local level services. In the recent on-site Program Review Report, from the Division of Special Education, the Cooperative was cited for exemplary CSPD activities for both general and special education personnel.

Mrs. Wodicka asked for a comparison/discussion on the cost-differential analyses provided. These were analyses of projected costs for Randolph County, if indeed, Jay School Corporation was to withdraw from the Cooperative. Discussed was duplication of office staff, data entry personnel, service providers, office space, etc.

Mr. Wray addressed the issue of implementing "inclusion" as well as the triennial assessment pilot. The one recurring complaint Mr. Wray hears from the staff of Randolph Central School Corporation is the amount of time they are away from the classroom for CSPD activities. Mr. Wray believes the big issue seems to be the fact that since Jay School Corporation has more than 50 percent of the special education student enrollment they should have more than one vote. Mr. Wray stressed that no school corporation in the Cooperative should be able to bring more weight to the table than any other school corporation in the cooperative in order to decide issues affecting all of the school corporations, ie; one school corporation equals one vote. He too felt his District will suffer fiscally if the separation occurs.

Mr. Schmielau spoke to the Council on the issue of inclusion and sharing of services. He has local control on the timing and pacing of staff development - as well as setting the direction of the training. He believed the training issue was not a problem for anyone except Jay School Corporation. He and his Board were also concerned with the fiscal impact of this separation which he felt would cause a loss of some services to students.

Mrs. Wodicka again stated that the role of the Council is to either approve or disapprove Comprehensive Plans. Dr. Grimley asked for a discussion of the triennial assessment pilot project. Initially at Monroe Central School Corporation, it was a very antagonistic environment. The new triennial process keeps teachers involved with each and every student. Staff has been inserviced with regard to the process. Mrs. Richmond indicated that the Cooperative is in the process of collecting data on the pilot project and will be reviewing that data. Her intent is to then share that data with others throughout Indiana. Those who were "in the trenches" and actually conducting the assessments did not appear to be uninformed. They appeared to be very knowledgeable and comfortable with the process. Some schools throughout each of the five districts participated in the pilot process. Initially it was a self-selection process, but then it became Cooperative-wide. Family members still have the option to "opt out" and take the "regular" assessment.

Dr. Kasamis requested that the Council take a break so that the information as presented could be digested along with lunch. Then, upon returning from lunch, the matter could be discussed in more detail.

Mrs. Melsheimer asked what type of internal (Cooperative Board level) problem-solving processes have been implemented in an attempt to resolve this issue? The answer was that initially the Cooperative Board was told there would be a one year time frame in which to look at

the problem of Cooperative membership. The following month the Jay School Corporation School Board voted to pursue the process of separating from the Cooperative. The recommendation for a one-year analysis was rejected by the Jay School Corporation School Board along with all ten building-level administrators.

The Jay School Corporation then called upon the Advisory Council to hear their request to become a single special education entity in order to provide all the programming for students with disabilities residing within the Jay School Corporation district.

At this point, the Council adjourned for lunch.

The Council reconvened after lunch and Mrs. Wodicka asked the Council what the members felt was the next step to be taken with regard to the Jay School Corporation request? She asked if any of the Council members desired more discussion or had any more questions from any of the Jay School Corporation representatives, the Randolph County Schools representatives or the representatives from the Jay-Randolph Special Education Cooperative?

Mrs. Melsheimer indicated that, due to the complexity of the issues, coupled with the number of these requests coming before the Council, she feels the need for more guidance and structure in order to reach these decisions. Mrs. Wodicka asked whether or not it would be of benefit for the Council to develop a list of questions which need to be asked prior to voting on such issues? The Council members agreed they would like to see such a format. Mr. Marra clarified that as he understood it, the Council was asking for "Critical Questions" which the Cooperative needs to ask itself, and also "Substantive Questions" based on what the Division of Special Education requires of districts.

It should not be merely a numerical comparison - but a tool of sorts which may be used as these issues arise. Children's needs come first, but we also need to look at the State's interest, the various school board's interests, etc. The CRITERIA on which decisions may be based would be helpful and perhaps could be compiled through the Creative Problem Solving (CPS) process. What would validate change? How do you balance service to students while retaining the ability to resolve internal conflicts? How does each situation support the initiative of LRE within the proposed plan?

Mr. Schmidt indicated that he would be ready to vote today, since he was not aware of any data which might cause him to change his mind. Dr. Kasamis stated that although he respected the wishes of the Council regarding future issues, he believed to delay this vote until June would create stress in the budget process in each of the districts. He felt it would be more appropriate for the Council to vote on this request at this meeting in order to allow planning for the coming year.

Mr. McKinney expressed concerns on whether the proposals heard are based on services to children. If districts are going to work together, there needs to be an understanding of what is expected of each other. Personality conflicts need to be put aside for the sake of the students involved.

Dr. Grimley moved that the Council vote on whether or not to act on the Jay School Corporation's request to withdraw as a member of The Jay-Randolph Special Education Cooperative at this meeting of the Council, May 9, 1997. The motion was seconded by Mr. Schmidt. The Council vote was nine (9) in favor, one (1) opposed, and (1) abstention. Mrs. Dare then moved that The Jay School Corporation should remain a part of the Jay-Randolph Cooperative. The motion was seconded by Dr. Kasamis.

Dr. Gousha indicated that if the Council is unwilling to approve the request from Jay County Schools, the problems will continue to exist. He asked whether or not there was some assistance which could be offered to the Jay-Randolph Special Education Cooperative Board? Mr. McKinney stated that the agreement and Comprehensive Plan under which the Jay-Randolph Cooperative is currently operating is obviously not working. Dr. Kasamis indicated that depending on the vote of this Council, the Cooperative Board may need to enter into some additional discussion in order to seek resolution at the local level. Mr. McKay asked if any of the presenters had any final comments before a formal vote was taken by the Council? Comments were offered speaking of the desire to work out a solution at the local level and having the time to do so. Dr. Little reiterated that the Jay School Corporation School Board requested the Advisory Council hear their request to separate from the Jay-Randolph Special Education Cooperative. The Jay School Corporation School Board has expressed their desire to have local control of special education services and personnel. Communications between the Jay School Corporation School Board and the Jay-Randolph Special Education Cooperative are indeed strained, although everyone agreed that the administrative staff is a competent staff and the services provided to students were effective. The School Board feels the biggest problem is the decision-making-process, which allows each school corporation one vote. Although Jay School Corporation has 50% of the students, they have only one vote and this concept is difficult for the School Board to accept.

There was a call for the vote. The motion was restated: "That Jay County School Corporation remains a part of the Jay-Randolph Special Education Cooperative." The vote: Nine (9) in favor, None (0) opposed and two (2) abstentions.

Dr. Gousha asked whether or not the Council should ask the Division go into the Cooperative and work with the Board. Mr. Marra indicated that the Division stands ready if invited by the Cooperative Board, to assist in any way possible, however, it must be at the request of the Cooperative/School Corporations. It is not the Division's role to interfere in local issues/policies . If a district's Comprehensive Plan does not meet the requirements of the law, then the Division would step in and offer assistance. This would become obvious through the monitoring process and would thus require correction.

Dr. Burrello requested permission to address the Council. He indicated that, ultimately, the issue is about control. There is quantitative and qualitative data which must be reviewed prior to making such decisions. This is a political process - just as it was when Cooperatives were initially formed.

Mr. Dalrymple indicated that he believes the system is working and because it is working and students are being properly served, the Cooperative should remain as it is currently structured.

Mr. Dalrymple pointed out that the current monitoring report from the Division of Special Education indicates that this a successful Cooperative, and that in fact within the cooperative structure all students are educated in their home schools, which he felt was a credit to the operation of the Jay-Randolph Cooperative. Dr. Kasamis expressed that his concerns, when these types of situations arise, are the issues of "what is left" after a split. His primary concern, when preparing to vote on these kinds of requests is what will happen after the cooperative structural change.

Effective Discipline Survey Report

Ms. Knoth distributed two handouts: 1) Directions for completing the discipline-survey on proposed regulatory language amendments; and 2) Summation of the initial results of the survey. In response to the concerns of the Council's perceived lack of parent/family involvement, Ms. Knoth pointed out that 702 parent/family members responded to the survey. Five questions, 34, 26, 19, 12 and 2 have consistently received negative responses. These questions highlight several of the issues that are consistently raised concerning discipline. Mr. Schmidt questioned whether or not families/parents felt the same as teachers in regard to the questions on expulsion and causal relationships. Ms. Knoth answered that generally "no" - the teachers and parents did not agree on the language. The results of the survey will be presented at the next State Board of Education meeting. The committee needs to consider IDEA, and Dr. Kasamis commented on the lengthy process of regulatory changes. Dr. Kasamis asked Mr. Marra if a motion would be in order requesting submission of this document and the results to the State Board of Education for approval? Mr. Marra stated that he believed a motion to that effect certainly would be acceptable. Dr. Kasamis then moved that the recommendations of the Discipline Committee go to the State Board of Education for promulgation. David Schmidt seconded the motion. The Council unanimously approved this motion.

EIM Survey / Report

At last month's meeting, Mrs. Melsheimer asked for input regarding the flexibility of the CODA/ Child Count System. Mr. Marra shared a draft of a survey which CODA staff will be conducting one-to-one with local Directors of Special Education across the state this summer (1997). A discussion pertaining to the document followed. Rather than developing a separate committee for CODA, Bob will be recommending to the ISEAS Advisory Board that CODA be a standing item on the Board's agenda. This will enable local directors to bring concerns to the ISEAS Advisory Council monthly. There are more than 100 fields of information available on each student within the CODA system. Thirty-eight fields are required for "ChildCount" information. Whatever changes IDEA and the Federal Government make in data collection requirements will be taken into consideration as well. "CivicLink" was discussed. It is a means for sharing data from agency to agency, school to agency, courts to schools, etc. Mrs. Dare asked that we keep all agencies in mind as we plan for the future.

Other Business

Mr. Marra shared the "proposal" for the new funding formula. He reminded everyone that this formula has yet to be approved by the General Assembly, so caution in interpretation should be

used. We will be getting a 5% increase, but how and where that increase will be implemented is yet to be finalized.

Mr. Marra thanked the Council for their consideration of the issues presented at this Council meeting as some difficult decisions were made and he expressed his appreciation for the guidance and insight Council members provided.

The next Council meeting will be in September 1997. The Council suggested scheduling the September 1997 meeting at Knightstown, Indiana at the Indiana Soldiers and Sailors Children's Home. September 1997, November 1997, March 1998, and May 1998 will be the four regular meeting months - with four "tentative" meeting dates to be decided later, - perhaps: October 1997; December 1997; April 1998; and June 1998.

Mrs. Wodicka asked that members of the Council send proposed questions/suggestions/language etc. to the Division for the "checklist" of the items that need to be addressed prior to voting on the restructuring of a cooperative by August 1, 1997. It was agreed that the Division would work on the document.

The meeting was adjourned at 2:00 P.M.